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in the case of *State v. Carson*, 126 Northwestern Reporter, 698, contended that a box of prairie chickens delivered to an express company in Iowa for transportation and delivery to a commission firm in Chicago, Ill., was not "shipped" out of the state, within the meaning of the statute, when seized by a game warden before it left the state. The Supreme Court of Iowa holds that it was to be presumed that the Legislature intended to give the word "ship" its ordinary meaning of delivery to a carrier for transportation, and that therefore defendant's delivery of the chickens to the carrier for transportation beyond the boundary of the state constituted a violation of the statute.

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**Public Charity Hospital Not Liable.**—Because plaintiff, a pay patient in a public charity hospital, disclaimed any right of execution against any funds other than that received from pay patients, she contended that the hospital was liable for the negligence of a nurse in seriously scalding her. The Supreme Court of Pennsylvania in *Gable v. Sisters of St. Francis*, 75 Atlantic Reporter, 1087, holds that the argument of plaintiff overlooks the fact that every dollar received by the defendant corporation, from whatever source, is stamped with the impress of charity; that as plaintiff paid for accommodations which the hospital was enabled to provide through the use of money donated to it, the money received from pay patients was as strictly the increment of its charitable donations as would be the interest on money given it if invested on loan, and that therefore no action would lie.

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**Eligibility of Women to Hold Office.**—The Supreme Court of Nebraska was recently confronted with the knotty question as to whether a woman was eligible to the office of county treasurer, notwithstanding the fact that under the Constitution and laws of the state she could not vote for a candidate for that office. In the election of 1909 the opposing candidates for treasurer of Cherry county, Neb., were Gertrude Jordan and Ernest B. Quible. Quible was already then in office, but his fair opponent received the majority of votes cast, and at the proper time took the oath of office and demanded possession, which was refused on the ground of her ineligibility. The lady then instituted mandamus to compel delivery of the official paraphernalia to her. The state Constitution only gives the general right of suffrage to male citizens. A statute of the state adopts so much of the common law of England as is applicable and not inconsistent with the federal and state Constitutions and statutes of the state. Judge Rose, delivering the opinion, holds that under the common law women were entitled to hold administrative offices of which they were competent to discharge the duties, and that, as there was no question raised as to rela-

tor's competency, she was entitled to hold the office, notwithstanding her ineligibility to vote for herself. Judge Letton, specially concurring in the conclusions, doubts the correctness of the right of a woman to hold such an office under the common law of England; but takes the position that, owing to changed conditions in this country, the right should here be granted, irrespective of ancient custom or common law. Judge Fawcett dissents, saying that, if a woman is eligible to such an office as that involved, she is just as eligible to the office of Governor, and, while agreeing that many women would make better Governors than some the state has had, he thinks it rests with the Legislature, and not with the court, to specifically declare their eligibility, and that no one should be allowed to hold an office who cannot vote for a candidate for it. The case is reported in 125 Northwestern Reporter, 619, under the title *State ex rel. Jordan v. Quible*.

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**Inexcusable Homicide.**—The case of *State v. Brecount*, 107 Pacific Reporter, 763, presents some rather novel questions of law and fact in regard to liability for homicide. At the time of the accident resulting in death, a band concert was in progress on a temporary stand erected in one of the streets of Arkansas City, where defendant was employed as a member of the fire department. A large crowd of people having gathered in the street to listen to the music, the fire chief, who was intoxicated and had been off duty all day concluded it would be fine sport to turn in a false alarm and scatter the crowd by driving rapidly through it for the supposed purpose of reaching the fire. After communicating his ideas to defendant, the two proceeded to carry them out. The chief turned in a fake alarm, defendant hitched up the chief's horse, and they started down the street toward the crowd as fast as they could get the horse to run, defendant driving and the chief whipping the horse. Their vehicle struck a buggy, which overturned, injuring one of the occupants so seriously as to cause her death. The Kansas statutes make homicide excusable when committed by accident or misfortune, or in doing any other lawful act by lawful means with usual and ordinary caution and without unlawful intent. The Supreme Court of Kansas, in passing on defendant's conviction of manslaughter, holds that the intent governs and that, as the injury was the result of reckless, wanton, and uncalled-for acts of defendant, the intent was unlawful, and the homicide inexcusable.

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**Abusive Letters By Attorneys.**—Plaintiff in error, in *Peters v. State*, 51 Southern Reporter, 952, who was engaged in the practice of law in Alabama, having received a claim for collection, wrote the following letter to the debtor:

"Dear Sirs: I wish to call your attention to the above matter,